



General Assembly

Substitute Bill No. 5456

February Session, 2002

**AN ACT CONCERNING THE IDENTIFICATION OF OFF-SITE
CONDITIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) As used in this
2 section:

3 (1) "Residential real property" or "residence" means a building or
4 structure containing up to four separate dwellings or accommodations.

5 (2) "Off-site conditions" means those conditions on: (A) The sites
6 included on the National Priorities List pursuant to the
7 Comprehensive Environmental Response, Compensation, and Liability
8 Act of 1980, (42 USC 9601, et seq.) as amended from time to time; and
9 (B) the latest hazardous waste disposal sites known to and confirmed
10 by the Commissioner of Environmental Protection and included on the
11 hazardous waste disposal site inventory prepared pursuant to section
12 22a-133c of the general statutes.

13 (3) "Person" means an individual, firm, corporation, limited liability
14 corporation, partnership, association, trust or other legal entity or any
15 combination thereof.

16 (4) "Property" means a lot or plat upon which a residence has been,
17 or may be, constructed.

18 (5) "Purchaser" means a buyer of residential real property.

19 (6) "Seller" means a real estate broker, as defined in section 20-311 of
20 the general statutes, a real estate salesperson, as defined in section 20-
21 311 of the general statutes, or a new home construction contractor, as
22 defined in section 20-417a of the general statutes, as amended, who is
23 engaged in the sale of residential real property.

24 (b) (1) The Commissioner of Environmental Protection shall make
25 available lists of the locations by address of all properties containing
26 off-site conditions described in subparagraphs (A) and (B) of
27 subdivision (2) of subsection (a) of this section indexed or grouped by
28 the municipality in which the off-site condition is located.

29 (2) The Commissioner of Environmental Protection shall initially
30 submit the lists by January 1, 2003, and shall update the lists, as
31 necessary, by January first of each year thereafter. The commissioner
32 shall include with the list a statement that reads "This list identifies off-
33 site conditions, defined as conditions on the sites included on the
34 National Priorities List pursuant to the Comprehensive Environmental
35 Response, Compensation, and Liability Act of 1980, (42 USC 9601, et
36 seq.) as amended from time to time, and on the latest hazardous waste
37 disposal sites known to and confirmed by the Commissioner of
38 Environmental Protection and included on the hazardous waste
39 disposal site inventory prepared pursuant to section 22a-133c of the
40 general statutes, that as of January first of this year have been
41 identified and listed by the Department of Environmental Protection as
42 existing within the state of Connecticut."

43 (c) Notwithstanding any other provision of the general statutes, the
44 lists made available by the Commissioner of Environmental Protection
45 pursuant to this section shall be public records and shall be accessible
46 to the public.

47 (d) At any time prior to, but not later than, the time of entering into
48 a contract for the sale of residential real property, the seller shall
49 provide the purchaser with written notice of the availability of the lists

50 prepared pursuant to subsection (b) of this section.

51 (e) If the seller provides written notice to the purchaser in
52 accordance with subsection (d) of this section, any responsibility of the
53 seller to disclose properties containing such off-site conditions shall be
54 met fully.

This act shall take effect as follows:	
Section 1	October 1, 2002

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Joint Favorable Subst. C/R

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